



**DEWEY SQUARE GROUP**

**CONSTITUENT SERVICES PRELIMINARY REPORT  
SAN DIEGO CITY COUNCIL  
COUNCIL-MAYOR GOVERNMENT TRANSITION PROCESS  
APRIL 15, 2005**

## **CHARTER SECTION 270 (H)**

*"Except for the purpose of inquiry or communications in furtherance of implementing policies and decisions approved by resolution or ordinance of the Council, individual members of Council shall deal with the administrative service for which the Mayor is responsible only through the Mayor, the City Manager, or the Mayor's designees."*

## **CHARTER SECTION 265 (I)**

*"Any City official or department head in the administrative service may be summoned to appear before the Council or any committee of the Council to provide information or answer any question."*

### **CONSIDERATIONS**

As San Diego continues its transition to the Council-Mayor form of governance, it is important for Council to determine its role and responsibility for constituent services. DSG recommends Council begin with a conversation about the following topics regarding constituent services:

#### 1. Are constituent services a legislative or executive function?

In general, casework or constituent services are a primary function of most legislatures. Members of Congress, state legislatures, and City Councils spend time and energy helping constituents with their problems. It is not uncommon for bureaucracy to be more receptive to requests from elected officials than from the constituents themselves. The centrality of casework for a legislature or a legislator varies given the goals of the body or individual Member. Members may engage in casework because they view it as:

- Part of the job of a representative;
- Developing trust with constituents, potentially increasing electoral success;
- Furthering their beliefs about government spending; and
- Providing familiarity with bureaucratic operations.

#### 2. Given that the administrative branch of government will report to the Mayor, how can the Council ensure that its needs and its constituent needs are served?

Academic research on the federal government has debated whether Congress or the President has more control over the bureaucracy. The lessons from this scholarship apply to San Diego's new system. The Executive's most powerful mechanism of control over agencies and departments is his ability to nominate and terminate heads of the bureaucracy and the Executive's ability to submit the annual budget provides additional control. The Legislature on the other hand has power in its ability to establish and destroy bureaucratic departments, confirm or deny Mayoral appointments, enact laws that affect the organization, policies, and jurisdiction of the bureaucracy, convene hearings and perhaps most importantly set the agencies' budgets. In sum, it is appropriate to conclude that both branches have substantial authority over what the bureaucratic administration does on a day to day basis involving constituent needs.

There are at least three reasons why a bureaucracy might not be responsive to a Member's requests: 1) the request conflicts with directives provided by the Executive 2) the request conflicts with the mission or goals of the agency itself 3) the request is prioritized lower than the requests of the Executive or other Members. In the first case the Member might resolve the problem by engaging in discussion and negotiation with the Executive. In the second case the Member might consider legislation that would encourage the agency to change its procedures. The third case, like the first, would require that the Member negotiate with the Executive or other Members.

3. How can Members know whether or not the bureaucracy is carrying out its policy goals?

Because effective oversight of the bureaucracy can be costly and time consuming, Congress tends to rely on mechanisms that allow affected parties to inform Congress of bureaucratic problems. Public hearings, posting of rules, and even allowing legal action against agencies, are all strategies Congress uses to allow the public to monitor the bureaucracy. At the state level the Legislative Analyst's Office may also provide an oversight role. For instance the California LAO reviews all proposals from the Executive branch to spend unallocated funds or change the way that allocated funds are spent. If San Diego takes the recommendations of DSG in the formation of its IBA, this office of analysis would serve this function because it would review the fiscal and policy implications of all legislation introduced to Council.

4. Should Council have staff dedicated to Constituent Affairs?

This would be determined by the Member's individual goals, style, and needs. From our preliminary research DSG has found that most cities provide a budget to each Council Member to allocate in the manner that best suits their requirements. Oakland's Members tend to hire one administrative assistant, one constituent affairs staff, and one policy analyst. In Los Angeles Members have anywhere between 3 and 9 staff member responsible for constituent casework. To know how many staff members should be dedicated to Constituent Affairs, San Diego Council Members should take into consideration how many services they need their staff to provide in total including how much can be handled by the new Office of Analysis. Many cities have Council staff that work for the entire Council, thus reducing their need for individual staff members. Other cities rely more heavily on individual staff members for policy analysis, support and casework.

**RECOMMENDATIONS**

The role Council plays in constituent services will ultimately depend on each Council Member's priorities. The Council Members should each have authority to dedicate a certain number of staff to constituent services for their district. Collectively, Council should consider creating liaison positions in certain, high priority departments whose sole purpose is to respond to Council requests. The Mayor would still have hiring authority over the position(s) but the liaison(s) would work directly for the Council.